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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. CR 07-0169 JSW
Plaintiff,)
v.)
LAFAELE FETALINA,)
Defendant.)
STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME

On April 10, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from April 10, 2007 to April 26, 2007 for effective preparation in that both parties' counsel required adequate time to obtain and review additional relevant discovery. The parties represented that granting the continuance was the reasonable time necessary for effective preparation of counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

SO STIPULATED:

1 SCOTT N. SCHOOLS
2 United States Attorney

3 DATED: April 11, 2007

4 /s/
5 JULIE A. ARBUCKLE
6 Assistant United States Attorney

7 BARRY PORTMAN
8 Federal Public Defender

9 DATED: April 11, 2007

10 /s/
11 BARRY PORTMAN
12 Attorney for Defendant Lafaele Fetalina

13 As the Court found on April 10, 2007, and for the reasons stated above, the Court finds that
14 the ends of justice served by the continuance outweigh the best interests of the public and the
15 defendant in a speedy trial and that time should be excluded from the Speedy Trial Act
16 calculations from April 10, 2007 to April 26, 2007 for effective preparation of counsel. See 18
17 U.S.C. §3161(h)(8)(A). The failure to grant the requested continuance would deny counsel
18 reasonable time necessary for effective preparation, taking into account the exercise of due
19 diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

20 SO ORDERED.

21 DATED: April 12, 2007

